

MEDICAL CONTESTED CASE HEARING NO 12062
M6-11-35527-01

DECISION AND ORDER

This case is decided pursuant to Chapter 410 of the Texas Workers' Compensation Act and Rules of the Division of Workers' Compensation adopted thereunder.

ISSUES

A contested case hearing was convened on September 22, 2011, with the record closing on January 19, 2012, to decide the following disputed issue:

1. Is the preponderance of the evidence contrary to the decision of the Independent Review Organization (IRO) that a left wrist fusion with iliac crest bone graft and hardware removal is not reasonably required health care for the compensable injury of (Date of Injury)?

PARTIES PRESENT

Petitioner/Claimant appeared and was assisted by PA, ombudsman. Respondent/Carrier appeared and was represented by RT, attorney.

AGREEMENT

The parties reached an agreement. The agreement resolves only those issues to be decided at this hearing. The agreement does not resolve all issues with regard to this claim and is not a settlement.

In this decision, this Agreement section includes findings of fact and the Decision section constitutes the conclusions of law.

Including stipulations entered into on September 22, 2011, and the agreement of the parties as set forth in the record developed on January 19, 2012, the parties agreed as follows:

1. Venue is proper in the (City) Office of the Texas Department of Insurance, Division of Workers' Compensation.
2. On (Date of Injury), Claimant was the employee of (Employer), Employer.
3. On (Date of Injury), Employer provided workers' compensation insurance with Employers Mutual Casualty Company, Carrier.

4. Claimant sustained a compensable injury on (Date of Injury).
5. The Texas Department of Insurance appointed Case Review as the Independent Review Organization in this matter.
6. The Independent Review Organization determined that a left wrist fusion with iliac crest bone graft and hardware removal is not reasonably required health care for the compensable injury of (Date of Injury).
7. The preponderance of the evidence is contrary to the Independent Review Organization determination that a left wrist fusion with iliac crest bone graft and hardware removal is not reasonably required health care for the compensable injury of (Date of Injury).

DECISION

A left wrist fusion with iliac crest bone graft and hardware removal is reasonably required health care for the compensable injury of (Date of Injury).

ORDER

Carrier is liable for the benefits at issue in this hearing. Claimant remains entitled to medical benefits for the compensable injury in accordance with §408.021.

The true corporate name of the insurance carrier is **EMPLOYERS MUTUAL CASUALTY COMPANY** and the name and address of its registered agent for service of process is

**DONALD WEISE
2505 NORTH PLANO ROAD
SUITE 2000
RICHARDSON, TEXAS 75082**

Signed this 19th day of January, 2012.

KENNETH HUCHTON
Hearing Officer